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COMMISSIONER FOR PATENTS  
ALEXANDRIA, VIRGINIA 22313

RE: Application Serial No.: 10/649,704

Applicants: Yoshiaki FUKUZUMI

Filing Date: August 28, 2003

For: SEMICONDUCTOR MEMORY DEVICE  
COMPRISING MAGNETO RESISTIVE ELEMENT  
AND ITS MANUFACTURING METHOD

Group Art Unit: 2818

Examiner: HO, T.

SIR:

Attached hereto for filing are the following papers:

**ELECTION**

Our check in the amount of **\$0.00** is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.

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DOCKET NO. 241998US2S

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF

:

YOSHIAKI FUKUZUMI

: EXAMINER: HO, T.

SERIAL NO: 10/649,704

:

FILED: AUGUST 28, 2003

: GROUP ART UNIT: 2818

FOR: SEMICONDUCTOR MEMORY  
DEVICE COMPRISING MAGNETO...

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PROVISIONAL ELECTION

COMMISSIONER FOR PATENTS  
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SIR:

In response to the Election Requirement dated August 20, 2004, Applicant elects Group I, Claims 1-31 without traverse, drawn to a semiconductor memory device, classified in class 257, subclass 295. Applicant further elects Species IA, identified in the outstanding Official Action as illustrated in Figures 1A and 1B or 15A and 15B. Applicant identifies Claims 1-26 as readable on the elected species. for further examination on the merits. Applicant reserves the right to file one or more divisional applications directed to the non-elected claims.

Accordingly, examination on the merits of Claims 1-31 is believed to be in order and an early and favorable action is respectfully requested.

Respectfully submitted,

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